

Article - Family Law

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§5-559.

(a) In this section, “emergency out-of-home placement” means an out-of-home placement in which a local department places a child in the home of a private individual, including a neighbor, friend, or relative, as a result of a sudden unavailability of the child’s primary caretaker.

(b) (1) If a child is placed in an emergency out-of-home placement, a local department may request that a designated State or local law enforcement agency in the State or other location approved by the Department perform a federal name-based check on any individual described in § 5-551(c)(4), (5)(iii), and (7)(ii) of this subtitle.

(2) The designated agency described in paragraph (1) of this subsection may provide the results of the name-based check to the local department.

(3) Within 15 calendar days after the local department receives the results of the name-based check, the local department shall submit a complete set of fingerprints to the Department for each individual described in paragraph (1) of this subsection on whom a name-based check was performed.

(4) Within 15 calendar days after the date on which the name-based check was performed, the Department shall perform a criminal history records check, in accordance with § 5-554 of this subtitle.

(c) A child shall be removed immediately from an emergency out-of-home placement if any individual required to submit to a name-based check fails to comply with this section.

(d) When the placement of a child in a home is denied as a result of a name-based criminal history records check of an individual and the individual contests that denial, the individual shall submit to the local department:

(1) a complete set of fingerprints; and

(2) written permission allowing the local department to forward the fingerprints to the Department for submission to the Federal Bureau of Investigation.

(e) An individual who is required to submit to a criminal history records check under this section shall pay the fees required under § 5-551(h) of this subtitle.

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